

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

AVANGARDCHIK, LLC,

Plaintiff,

v.

Case No. 8:20-cv-595-TPB-TGW

PETER STURNIALO, REAL HOLDING
SERVICES, INC., and N.J.S.N.
HOLDINGS, INC.,

Defendants.

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ORDER ADOPTING REPORT AND RECOMMENDATION

This matter is before the Court on consideration of the report and recommendation of Thomas G. Wilson, United States Magistrate Judge, entered on August 3, 2021. (Doc. 35). Judge Wilson recommends that “Plaintiff’s Request for Entry of Default Judgment” (Doc. 29) against Defendants Peter Sturnialo, Real Holding Services, Inc., and N.J.S.N. Holdings, Inc. be granted. Judge Wilson specifically recommends that Plaintiff be awarded \$234,925.00 against Peter Sturnialo, \$195,000.00 against Real Holding Services, Inc., and \$39,925.00 against N.J.S.N. Holdings, Inc., along with \$400.00 in costs against Defendants. Judge Wilson further recommends that the Court find Peter Sturnialo is jointly and severally liable as principal of the two entities for the damages awarded against the entities. No party has filed an objection, and the time to object has expired.

After conducting a careful and complete review of the findings and

recommendations, a district judge may accept, reject, or modify the magistrate judge's report and recommendation. 28 U.S.C. § 636(b)(1); 718 F.2d 198, 199 (4th Cir. 1983); *Williams v. Wainwright*, 681 F.2d 732 (11th Cir. 1982). A district court must "make a de novo determination of those portions of the [report and recommendation] to which an objection is made." 28 U.S.C. § 636(b)(1)(C). When no objection is filed, a court reviews the report and recommendation for clear error. *Macort v. Prem, Inc.*, 208 F. App'x 781, 784 (11th Cir. 2006); *Nettles v. Wainwright*, 677 F.2d 404, 409 (5th Cir. 1982).

Upon due consideration of the record, including Judge Wilson's report and recommendation, the Court adopts the report and recommendation. Consequently, Plaintiff's "Request for Entry of Default Judgment" is granted.

Accordingly, it is

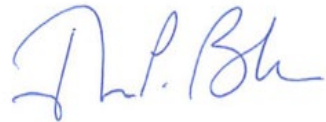
ORDERED, ADJUDGED, and DECREED:

- (1) Judge Wilson's report and recommendation (Doc. 35) is **AFFIRMED** and **ADOPTED** and **INCORPORATED BY REFERENCE** into this Order for all purposes, including appellate review.
- (2) Plaintiff's "Request for Entry of Default Judgment" (Doc. 29) is hereby **GRANTED**. Default judgment is to be awarded as follows:
 - a) \$234,925.00 against Peter Sturnialo,
 - b) \$195,000.00 against Real Holding Services, Inc., and
 - c) \$39,925.00 against N.J.S.N. Holdings, Inc.,

Plaintiff is also entitled to recover \$400.00 in costs from Defendants.

- (3) Peter Sturnialo is jointly and severally liable as principal of the two entities for the damages awarded against the entities.
- (4) The Clerk is **DIRECTED** to enter final default judgment in accordance with this Order.
- (5) Following the entry of final default judgment, the Clerk is **DIRECTED** to terminate any pending motions and deadlines, and thereafter close this case.

DONE and **ORDERED** in Chambers, in Tampa, Florida, this 18th day of August, 2021.



TOM BARBER
UNITED STATES DISTRICT JUDGE